

THE HONORABLE ROBERT J. BRYAN

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

S & W MARINA HOLDINGS, INC., a  
Washington Corporation,

Plaintiff,

v.

NIPPON STEEL — KAWADA BRIDGE, INC.,  
a California Corporation, McDONOUGH  
MARINE SERVICE, INC., a Louisiana  
Corporation, FOSS MARITIME COMPANY,  
INC., a Washington Corporation, individually and  
jointly, *in personam*; MARMAC 12, Official NO.  
D1024657, her engines, tackle, gear apparel,  
furniture, and equipment *in rem*, tug PACIFIC  
EXPLORER, her engines, tackle, gear apparel,  
furniture and equipment *in rem*,

Defendants.

At Law or In Admiralty

NO. C09-5203 RJB

STIPULATION AND ORDER  
FOR WITHDRAWAL AND  
SUBSTITUTION OF  
COUNSEL

Noted for Motion Calendar:  
July 7, 2009 (CR 7(d)(1))

Pursuant to General Rule 2(g)(3) and (4)(A), *in personam* defendant McDonough Marine Service, Inc., through its counsel of record David R. West of Garvey Schubert Barer, hereby stipulate and respectfully request that the Court allow the withdrawal of Garvey Schubert Barer and substitution of Mark A. Krisher and James P. Moynihan of Bauer Moynihan & Johnson LLP as counsel of record for McDonough Marine Service, Inc.

A copy of this notice has been served upon McDonough Marine Service, Inc.

1 Dated this 7th day of July, 2009

2 GARVEY SCHUBERT BARER  
3 /s/ David R. West (per e-mail authorization)

4 David R. West WSBA No. 13680  
5 Garvey Schubert Barer  
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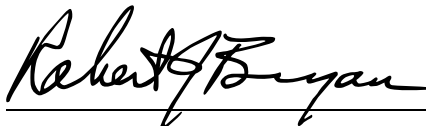
11 BAUER MOYNIHAN & JOHNSON LLP  
12 /s/ Mark A. Krisher

13 James P. Moynihan WSBA No. 9358  
14 Mark A. Krisher WSBA No. 39314  
15 Bauer Moynihan & Johnson LLP  
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20 E-mail: jpmoynihan@bmjlaw.com  
21 E-mail: makrisher@bmjlaw.com

22 **ORDER**

23 IT IS ORDERED that the Court grants the withdrawal of Garvey Schubert Barer and  
24 substitution and appearance of Bauer Moynihan & Johnson as counsel of record for *in*  
25 *personam* defendant McDonough Marine Service, Inc.

26 DATED this 8th day of July, 2009



ROBERT J. BRYAN  
United States District Judge

1  
2 CERTIFICATE OF SERVICE

3 I certify that on July 8, 2009, I electronically filed the foregoing document  
4 with the Clerk of the Court using the CM/ECF system which will send  
notification of such filing to the following:

5 Attorney for Plaintiff S & W Marina Holdings, Inc.

Svetlana P. Spivak

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9 Attorney for Foss Maritime Company, Inc.

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13  
14 s/ Suya Edwards

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